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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,870	10/10/2001	Ching-Yuan Wei	320528221US	5585
25096	7590	07/07/2009	EXAMINER	
PERKINS COIE LLP PATENT-SEA P.O. BOX 1247 SEATTLE, WA 98111-1247				HASAN, SYED Y
ART UNIT		PAPER NUMBER		
2621				
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			07/07/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/972,870	WEI, CHING-YUAN	
	<b>Examiner</b>	<b>Art Unit</b>	
	SYED Y. HASAN	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 April 2009.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 18-20, 22-37, 39 and 41-45 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 18-20, 22-37, 39 and 41-45 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____.   | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

### **Continued Examination under 37 CFR 1.114**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/21/2009 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 18 – 20, 22 – 37, 39 and 41 - 45 have been considered but are moot in view of the new ground(s) of rejection.

Hayakawa et al (US 6445654) is being replaced with Shu et al (US 2002/0110073). See details below.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2621

4. Claims 18 – 20, 22 – 37, 39 and 41 - 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Shu et al (US 2002/0110073).

**Regarding claim 18,** Shu et al disclose an optical media device, comprising:

an optical drive (fig 1, 10, para 0015, optical disk driver) configured to receive an optical storage disk containing audio and/or video data stored on the optical storage disk (para 0014, DVD) wherein the optical drive comprises a signal output port (para 0022 and 0023, output ports)

a memory card slot configured to receive a memory card (para 0014 memory card) containing compressed audio and/or compressed video data stored on the memory card (para 0017 contain audio and video data);

a digital video and audio decompressing card coupled to the memory card slot and the optical drive through a data bus (fig 1, 12, para 0018, MPEG processor and fig 1, 16, para 0022, JPEG decoder illustrating video and audio decoding) wherein the decompressing card is configured for [a] processing the compressed audio and/or video data stored on the memory card and [b] processing the audio and/or video data stored on the optical storage disk (para 0017 illustrates accessing both optical disk and memory card) and

wherein the decompressing card is configured to transmit processed audio and/or video data from the memory card via the data bus through the output port on the optical drive to an audio and/or video output device in the absence of an optical disk in the optical drive (para 0006 illustrates reading from memory card, para 0022 and 0023,

output ports and para 0033 illustrates reading from memory card irrespective of the optical disk in the disk drive)

**Regarding claim 19**, Shu et al disclose an optical media device wherein the digital video and audio decompressing card comprises a digital video and audio decompressing chip and a memory (para 0017 illustrates chip and memory card).

**Regarding claim 20**, Shu et al disclose an optical media device wherein the digital video and audio compressing chip supports decompressing processes of MPEG layer 2 and/or layer 3 (abstract and para 0035 illustrate MP3 player and para 0017 illustrate MPEG processor).

**Regarding claim 22**, Shu et al disclose an optical media device wherein the optical media device is a DVD device (abstract, paras 0006 – 0008 and 0013 illustrated DVD)

**Regarding claim 23**, Shu et al disclose an optical media device wherein the memory card is a flash card (para 0003 illustrates CF card (compact flash card)).

**Regarding claim 24**, Shu et al discloses the optical media device wherein the memory card is a first memory card, wherein the optical media comprises a second memory card of a different form factor than the first memory card and wherein the memory card slot includes an adapter for receiving the second memory card (fig 1, 3, para 0013, card reader and para 0014 illustrates CF, SM, SD or MM cards)

**Regarding claim 25**, Shu et al discloses the optical media device wherein the second memory card comprises one or more of a secure digital card, a compact flash

card, a smart media card, a multimedia card and a memory stick (para 0014 illustrates CF, SM, SD or MM cards)

**Regarding claim 26**, Shu et al disclose an optical media device comprising a memory including a built-in program configured to identify a file format of the audio and/or video data stored on the memory card (para 0014 illustrates various memory cards and para 0033 illustrates reading from memory card, therefore the controller is configured to identify a file format of the audio/video data stored on the various memory cards which identifies a built-in program)

**Regarding claim 27** Shu et al disclose a method and an optical media device comprising:

determining a file format for compressed video data and/or compressed audio data stored on a memory card (para 0014 illustrates various memory cards)

reading the compressed data from the memory card (para 0033 illustrates reading from memory card)

decompressing the compressed data (abstract and para 0035 illustrate MP3 player and para 0017 illustrate MPEG processor) and

outputting the decompressed data from an output port of an optical media device directly to a video and/or audio output device (fig 1, 12, para 0018, MPEG processor, fig 1, 16, para 0022, JPEG decoder illustrating video and audio decoding and para 0022 and 0023, output ports) wherein determining a file format, reading the compressed data, and decompressing the compressed data are performed by the optical media device (para 0033 illustrates reading from memory card and para 0014 illustrates various

memory cards therefore the controller is configured to identify a file format of the audio/video data stored on the various memory cards) and

wherein outputting the decompressed data includes transmitting the decompressed data from the memory card via a data bus on the optical media device through the output port in the absence of an optical disk in the optical media drive (para 0006 illustrates reading from memory card and para 0033 illustrates reading from memory card irrespective of the optical disk in the disk drive)

**Regarding claim 28,** Shu et al discloses a method wherein the optical media device comprises a digital video and audio decompressing card carried by the optical media device (fig 1, 12, para 0018, MPEG processor and fig 1, 16, para 0022, JPEG decoder illustrating video and audio decoding) and wherein decompressing the compressed data comprises executing a program on a decompressing chip on the digital video and audio decompressing card (para 0014 illustrates various memory cards and para 0033 illustrates reading from memory card, therefore the controller is configured to identify a file format of the audio/video data stored on the various memory cards which means executing a program)

**Regarding claim 29,** Shu et al disclose the method wherein the file format comprises JPEG (para 0015, JPEG decoder)

**Regarding claim 30** Shu et al disclose a method wherein reading the compressed digital data comprises reading compressed digital data from a PCMCIA

format memory card carried by the optical media device (para 0014, a PCMCIA card with build-in controller)

**Regarding claim 31** Shu et al disclose a method wherein reading the compressed data comprises reading compressed data from a memory card inserted into an adapter, where in the adaptor is positioned in a memory card slot in the optical media device (fig 1, 3, para 0013, card reader “adaptor” and para 0014 illustrates CF, SM, SD or MM cards)

**Regarding claim 39**, Shu et al disclose an optical media device wherein the compressed digital data includes video and/or audio data (abstract, paras 0015, 0017, 0033 and 0034 illustrate audio and video data)

**Regarding claim 41**, Shu et al disclose an optical media device, comprising:  
means for reading compressed digital data from a memory card, wherein the compressed digital data includes compressed digital image and/or compressed audio data (para 0014 memory card and para 0017 contain audio and video data)

means for determining a file format for the compressed digital data stored on the memory card (para 0033 illustrates reading from memory card and para 0014 illustrates various memory cards therefore the controller is configured to identify a file format of the audio/video data stored on the various memory cards)

means for decompressing the compressed digital data (fig 1, 12, para 0018, MPEG processor and fig 1, 16, para 0022, JPEG decoder illustrating video and audio decoding) and

means for outputting the decompressed digital data from an output port carried by the optical media device directly to an output device (para 0022 and 0023, output ports)

wherein the means for determining a file format, the means for reading the compressed digital data, the means for decompressing the compressed digital data, and the means for outputting the decompressed digital data are included in the optical media device (para 0014 illustrates various memory cards and para 0033 illustrates reading from memory card, therefore the controller is configured to identify a file format of the audio/video data stored on the various memory cards and para 0022 and 0023, output ports) and

wherein the means for outputting the decompressed digital data is configured to transmit the decompressed digital data from the memory card via a data bus on the optical media device through the output port in the absence of an optical disk (para 0006 illustrates reading from memory card, para 0022 and 0023, output ports and para 0033 illustrates reading from memory card irrespective of the optical disk in the disk drive)

**Claim 32** is rejected based on claim 27 above.

**Claims 33 and 42** are rejected based on claim 28 above.

**Claims 34, 37 and 43** are rejected based on claim 29 above.

**Claims 35 and 44** are rejected based on claim 30 above.

**Claims 36 and 45** are rejected based on claim 31 above.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Y. Hasan whose telephone number is 571-270-1082. The examiner can normally be reached on 9/8/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. Y. H./  
06/29/2009

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621